

SAMUEL BERNARD JOHNSON III  
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Plaintiff - *In Pro Se*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

SAMUEL BERNARD JOHNSON III,  
Plaintiff,

vs.

CHEVRON CORPORATION, a Delaware  
corporation, CHEVRON  
ENVIRONMENTAL MANAGEMENT  
COMPANY, a California corporation, and  
DOES 1-10, inclusive

Defendants

Case No.: C 07-05756 SI (JSC)

**DECLARATION OF SAMUEL BERNARD  
JOHNSON III IN SUPPORT OF  
PLAINTIFF'S EX PARTE MOTION TO  
SHORTEN TIME**

1 I, Samuel Bernard Johnson III, (hereinafter referred to as "Plaintiff Johnson") am the  
2 Plaintiff in the within action declare the following:

3 1. That when Plaintiff Johnson checked the Court's website for noticing motion he  
4 saw that Friday, July 18, 2008 was the next available date to have a motion such as his scheduled  
5 for a hearing before the Honorable Susan Illston.

6 2. On June 16, 2008, I reviewed the Clerk of the Court's notice pertaining to  
7 continuing the July 18, 2008, hearing regarding Plaintiff's Motion for Leave to File a First  
8 Amended Complaint to Friday, August 22, 2008.

9 3. On June 16, 2008, at 4:22 p.m. Plaintiff Johnson sent an email to Delia A.  
10 Isvoranu of Filice Brown Eassa & McLeod LLP, (hereinafter referred to as "Counsel for  
11 Chevron") reiterating the Clerk of the Court's notice pertaining to the hearing date change for  
12 Plaintiff's Motion to File A First Amended Complaint. Plaintiff Johnson also advised Counsel  
13 for Chevron that her initial Opposition to Plaintiff's Motion for Leave to File a First Amended  
14 Complaint was due on Friday, June 27, 2008. Plaintiff Johnson also informed Counsel for  
15 Chevron that given the revised hearing date of Friday, August 22, 2008, that would mean that  
16 Counsel for Chevron's Opposition to Plaintiff's Motion for Leave to File a First Amended  
17 Complaint is now due on Friday, August 1, 2008. *See* Exhibit A, June 16, 2008, at 4:22 p.m.  
18 email from Plaintiff Johnson to Delia A. Isvoranu of Filice Brown Eassa & McLeod LLP.

19 4. That on June 16, 2008, as referenced in the email in ¶ 1 of this declaration,  
20 Plaintiff Johnson further informed Counsel for Chevron that he had contacted the Clerk of  
21 the Court regarding this matter and proposed that the parties stipulate to keep the original dates  
22 for all responsive pleadings to Plaintiff's Motion for Leave to File a First Amended Complaint  
23 based off the Friday, July 18, 2008, hearing. Plaintiff Johnson also informed Counsel for  
24 Chevron that if she would not stipulate to this, then Plaintiff Johnson would file an Ex Parte  
25 Motion along with a declaration stating Counsel for Chevron's position on not wanting to agree  
26 with the dates for responsive pleadings per the Friday, July 18, 2008, hearing. *Id.*

27 5. On June 16, 2008, as referenced in the email in ¶ 1 of this declaration Plaintiff  
28 Johnson further informed Counsel for Chevron that he felt such was only fair as

1 Counsel for Chevron's Opposition to Plaintiff's Motion for Leave to File a First Amended  
2 Complaint should stand on its merits based off the responsive pleading dates imposed by the  
3 Friday, July 18, 2008, hearing. *Id.*

4 6. On June 16, 2008, at 10:31 p.m. Plaintiff Johnson sent an email to Counsel for  
5 Chevron with a deadline of 5:00 p.m. on today (June 17, 2008) or Plaintiff Johnson would  
6 file a motion with the Court seeking relief to impose the responsive pleading deadlines to  
7 Plaintiff's Motion for Leave to File a First Amended Complaint based off the Friday, July 18,  
8 2008, hearing. *See* Exhibit B, June 16, 2008, 10:31 p.m. email from Plaintiff Johnson to Counsel  
9 for Chevron.

10 On der penalty of perjury under the laws of the United States of America that the  
11 following is true and correct.

12 /s/

13 Dated this 17<sup>th</sup> day of June 2008

SAMUEL BERNARD JOHNSON III

**EXHIBIT A**

**Subject:** 3:07-cv-05756-SI Johnson v. Chevron Corporation

**Date:** 6/16/2008 4:22:26 P.M. Pacific Daylight Time

**From:** [BlakVIII](#)

**To:** [disvoranu@filicebrown.com](mailto:disvoranu@filicebrown.com), [BlakVIII](#)

Ms. Isvoranu,

As you can tell from the Court's Notice on this morning, the hearing pertaining to the motion for leave to file a first amended complaint has been changed to August 22, 2008. Your initial opposition to the motion was due on June 27, 2008. Given the revised hearing date of August 22, 2008, that would mean that your opposition is now due on August 1, 2008. That provides you with a full month to prepare your opposition to my motion. I have contacted the Court's Clerk regarding this matter and propose the following:

1. Filing a Motion for Miscellaneous Relief to have your opposition kept at June 27, 2008.;
2. That my reply to your opposition to your motion be kept at July 4, 2008.

Instead of filing the above pleading I would like to suggest the following:

1. That the parties stipulate to keep the original dates as referenced in item's 1-2 above which will forgo me from having to file a motion for miscellaneous relief;
2. Should you not agree with the above then I'll file the motion for miscellaneous relief as well as file an ex parte motion along with a declaration stating your position on not wanting to agree with the dates as listed above.

I feel the above is only fair. Your opposition should stand on its merits based off of the dates imposed by the July 18, 2008, hearing. Please provide me with your response to this email by tonight so that I can prepare the motion for miscellaneous relief and other supporting documents to the Court asap so that a ruling can be rendered on this given subject matter. Thanks and take care for now. Mr. Johnson

**EXHIBIT B**

**Subject:** Fwd: 3:07-cv-05756-SI Johnson v. Chevron Corporation

**Date:** 6/16/2008 8:10:31 P.M. Pacific Daylight Time

**From:** [BlakVIII](#)

**To:** [disvoranu@filicebrown.com](mailto:disvoranu@filicebrown.com)

Ms. Isvoranu,

Should I not hear from you by the close of business (5:00 p.m.) on June 17, 2008, regarding the below, then I'll proceed with filing the pleadings as referenced below. Mr. Johnson.